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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,278	08/30/2001	Albert Gouyet	NETS0074	1879
22862 7590 01/05/2007 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER WU, RUTAO	
			ART UNIT 3628	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS			MAIL DATE 01/05/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/944,278

Applicant(s)

GOUYET ET AL.

Examiner

Rob Wu

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10-34, 36-56, 61 and 66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-34, 36-56, 61 and 66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 24, 2006 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-8, 10-34, 36-56, 61, 66 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 27 and 53 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 1, 27 and 53 all recite the limitation "without prompting said end user to enter information" Applicants need to clarify what information doesn't need to be

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prompted to the end user. If the applicants mean that the end user is not being prompted to enter any information at all then it is unclear how the applicants' claimed server is receiving any information. Also attention need to be directed to applicants' submitted drawing Fig 4 where in fact the end user is being prompted to enter information.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 27-29, 34, 36-40, 44-52 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 5,732,398 to Tagawa.

**Referring to claim 27:**

A method for providing travel information to an end user in an intelligent way using a search result, said method comprising:

Receiving a request for travel information; (col 4: lines 7-10)

Processing said request into a query; (col 4: lines 7-10)

Automatically searching a database according to said query and context for a search result, without any interaction with a human agent, (col 14: lines 38-40)

Wherein said search result comprises said travel information in a singular, concise and consistent format, thereby providing ease of use for an end user, (Fig 12) and

Returning said search result to said end user. (col 4: lines 25-27)

**Referring to claim 28:**

The method of Claim 27 further comprising:

Providing a feed retrieval system; (col 10: lines 17-20, 24-31)

Providing a database coupled to said feed retrieval system; (Fig 2c)

Wherein said feed system receives content from a plurality of internal and external partners; (col 10: lines 17-20) and

Organizing said content for efficient storage by said database for easy retrieval.  
(col 10: lines 24-31)

**Referring to claim 29:**

The method of Claim 28, wherein said feed retrieval system further comprises:

A rules-based engine for said obtaining said content from said internal and external partners and storing said content into said database in a format used by a search engine. (col 4: lines 10-14, 24-27)

**Referring to claim 34:**

The method of Claim 27, further comprising:

Providing lookup tables for determining matches to facilitate processing said request into said query. (col 4: lines 11-14, 24-27)

**Referring to claim 36:**

The method of Claim 27 further comprising:

Analyzing a plurality of context determining categories;(col 4: lines 23-25, 36-38, 64-66; col 5: lines 22-33) and

determining at least one context determining category. (col 14: lines 39-40)

**Referring to claim 37:**

The method of Claim 36, wherein said plurality of context determining categories comprises at least:

A destination; and

An interest. (col 14: lines 16-17)

**Referring to claim 38:**

The method of Claim 27, wherein said search result comprising the following travel categories:

Destination guides; canned keywords; local events; low air fares; hot deals; and lodging. (col 10: lines 60-64)

**Referring to claim 39:**

The method of Claim 27, wherein said travel information comprises static and dynamic information. (col 10: lines 24-31)

**Referring to claim 40:**

The method of Claim 39, wherein said dynamic information comprises any of:

Local events; low air fares; a hot deal and; a fare watch. (col 10: line 25-29)

**Referring to claim 44:**

The method of Claim 27, further comprising:

Providing a local escape feature, wherein said local escapes feature uses a home location to provide particular travel information. (col 4: lines 33-35, 42-45)

**Referring to claim 45:**

The method of Claim 44, further comprising:  
determining said home location when not provided by an end user. (col 11: lines 1-4)

**Referring to claim 46:**

The method of Claim 44, wherein said home location is selected from a list of predetermined home locations. (col 8: lines 55-60; col 9: lines 10-15)

**Referring to claim 47:**

The method of Claim 46, wherein said list of predetermined home locations comprises: at least fifty predetermined cities or home airports. (col 9: lines 10-15)

**Referring to claim 48:**

The method of Claim 44, wherein said provided travel information comprises any of: a fare watch; weekend e-fares; local events; hot deals; links to other cities; and maps. (col 10: lines 61-64)

**Referring to claim 49:**

The method of Claim 44, further comprising:  
filtering out travel information not relevant to said home location. (col 4: lines 32-35, 42-45; col 11: lines 1-4)

**Referring to claim 50:**

The method of Claim 44, further comprising:

Providing a multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. (col 8: lines 51-67; col 9: 1-33; col 10: lines 62-63)

**Referring to claim 51:**

The method of Claim 50, wherein geographical regions comprise urban regions.  
(col 9: lines 1-9)

**Referring to claim 52:**

The method of Claim 51, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. (col 9: lines 25-32; col 10: lines 61-63)

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-3, 8, 10-12, 14, 18-26, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat No. 5,732,398 to Tagawa.

**Referring to claim 1:**

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:



A server configured to receive a request for travel information and to process said request into a query; (col 4: lines 7-10) and

A feed retrieval system configured to receive content from a plurality of internal and external partners, (col 10: lines 17-20, 24-31, Fig 2c)

A database coupled to said feed retrieval system. (Fig 2c)

Wherein said content is categorized, customized, and stored in said database.  
(col 10: lines 24-31)

Tagawa does not expressly disclose a context determination module. However, Tagawa discloses an example such that after the user has submitted the travel information in the Hawaii market (self-guided tour package) (col 14: lines 21-24, 38-40), a compact car and round-trip airfare is suggested for the user. Therefore, it is obvious that the context is automatically determined that the user has an interest in the island without the user having to enter any more information and air fares and rental fees are pulled for the user.

A searching module configured to search said database automatically, according to said query and said context, for a search result. (col 14: lines 38-40)

Wherein said search result is obtained by said searching module from said database without any integration with a human agent. (col 14: lines 35-61)

Wherein said search result comprises said travel information in a singular, concise and consistent format, thereby providing ease of use for an end user (Fig 12)

A result returning module configured to return said search result to said end user  
(col 4: lines 25-27)

**Referring to claim 2:**

The system of Claim 1, wherein said feed retrieval system organizes said content for efficient storage by said database for easy retrieval. (col 10: lines 24-31)

**Referring to claim 3:**

The system of Claim 2, said feed retrieval system further comprising:  
a rules-based engine for said obtaining said content from said internal and external partners and storing said content into said database in a format used by a search engine. (col 4: lines 10-14, 24-27)

**Referring to claim 8:**

The system of Claim 1, further comprising:  
lookup table for determining matches to facilitate processing said request into said query. (col 4: lines 11-14, 24-27)

**Referring to claim 10:**

The system of Claim 1, said context determination module further comprising:  
A plurality of context determining categories;(col 4: lines 23-25, 36-38, 64-66; col 5: lines 22-33) and  
Means for determining at least one context determining category. (col 14: lines 39-40)

**Referring to claim 11:**

Wherein said plurality of context determining categories comprises at least:  
A destination; and  
An interest. (col 14: lines 16-17)

**Referring to claim 12:**

The system of Claim 1, said search result comprising the following travel categories:

Destination guides; canned keywords; local events; low air fares; hot deals; and lodging. (col 10: lines 60-64)

**Referring to claim 14:**

The system of Claim 13, wherein said dynamic information comprises any of: low air fares; a hot deal and; a fare watch. (col 10: line 25-29)

**Referring to claim 18:**

The system of Claim 1, further comprising a local escapes feature, wherein said local escapes features uses a home location to provide particular travel information. (col 4: lines 33-35, 42-45)

**Referring to claim 19:**

The system of Claim 18, further comprising:

Means for determining said home location when not provided by an end user. (col 11: lines 1-4)

**Referring to claim 20:**

The system of Claim 18, wherein said home location is selected from a list of predetermined home locations. (col 8: lines 55-60; col 9: lines 10-15)

**Referring to claim 21:**

The system of Claim 20, wherein said list of predetermined home locations comprises: at least fifty predetermined cities or home airports. (col 9: lines 10-15)

**Referring to claim 22:**

The system of Claim 18, wherein said provided travel information comprises any of: a fare watch; weekend e-fares; local events; hot deals; links to other cities; and maps. (col 10: lines 61-64)

**Referring to claim 23:**

The system of Claim 18, further comprising:

Means for filtering out travel information not relevant to said home location. (col 4: lines 32-35, 42-45; col 11: lines 1-4)

**Referring to claim 24:**

The system of Claim 18, further comprising:

A multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. (col 8: lines 51-67; col 9: 1-33; col 10: lines 62-63)

**Referring to claim 25:**

The system of Claim 24, wherein geographical regions comprise urban regions. (col 9: lines 1-9)

**Referring to claim 26:**

The system of Claim 25, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. (col 9: lines 25-32; col 10: lines 61-63)

**Referring to claim 61:**

The system of Claim 1, further comprising:

A multi-hierarchical schema for organizing at least one geographical region to facilitate determining relevant travel information. (col 8: lines 51-67; col 9: 1-33)

Wherein said multi-hierarchical schema comprises levels of a state, a region within said state, and cities within said region. (col 10: lines 62-63).

10. Claims 4, 5, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 6,457,009 to Bollay.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose custom coded forms supplied to partners for facilitating obtaining travel information. Tagawa also does not disclose that the forms are in XML format.

Bollay discloses in his invention that a generic HTML form is filled in, and then translation is done on the form from a uniform field name to an actual name used by a corresponding remote database. (col 2: lines 44-49)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include custom generated forms that can be supplied to partners to facilitate information gathering. One would be motivated to perform such modification to allow a standardized form being used by the partners to facilitate obtaining travel information.

Regarding claims 5 and 31. Bollay does not explicitly state that the forms can also be coded in standard languages other than HTML, e.g. XML. The examiner takes official notice that forms coded in XML format are not a new feature. XML is another

standardized language similar to HTML. Example can be found in U.S. Pat No. 6,697,967 to Robertson (col 2: lines 20-24)

11. Claims 6, 7, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 6,601,059 to Fries.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose a spell check service to provide correct spelling of an intended word, and the means of providing suggestions on alternate spelling or relevant phrases, or means for setting ambiguity among words or phrases having similar parts.

Fries discloses in his invention a method of providing a visual cue to the user to indicate that the search query includes a misspelled word. The method also includes a step of providing lists of possible spellings for the misspelled words and allowing the user to select one of the possible spellings from the list. The method then replaces the misspelled word with the selected spelling to produce modified test. (col 1: lines 54-63)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the spell checker that will notify the misspelled word, and then suggest alternatives. One would be motivated to perform such modification to assist the end user in providing correct spelling of an intended word so the search query with the word or phrase can be more effective.

12. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 5408417 to Wilder.

Tagawa discloses files server 112 controls the storing, updating and fetching of information in local visitor attraction inventory. (col 10: lines 25-27) Tagawa however, does not expressly disclose that local events comprises a concert.

Wilder discloses in his invention a automated ticket sales system that show upcoming events and attractions in the area, events such as concerts, sports, etc. (col 3: lines 10-13; col 6: lines 3-5)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include concerts information within the local events. One would be motivated to perform such modification to allow users reserve local functions that is of interest to the users.

13. Claims 15-17 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of [www.travelocity.com](http://www.travelocity.com).

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose that the travel information is presented in one web page; that the web page comprises links for linking more detailed information; and that the more detail information comprises information reflecting and associated with one or more than one of said context determining categories.

www.travelocity.com discloses a web server with travel information presented in one web page. The web page also includes links to more detail information, and the information reflects one or more than one of the context determining categories.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the web page from www.travelocity.com that has links for more detailed information reflecting the context determining categories. One would be motivated to perform such modification to allow users to obtain travel information at places other than the plurality of kiosk described by Tagawa.

14. Claims 53-56, 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of "The Never-Ending Quest: Search Engine Relevance" by Notes, Greg R.

Regarding claim 53,

Tagawa discloses

Receiving a search request for travel information from said end user; (col 4: lines 7-10)

Tagawa does not expressly disclose a context determination module. However, Tagawa discloses an example such that after the user has submitted the travel information in the Hawaii market (self-guided tour package) (col 14: lines 21-24, 38-40), a compact car and round-trip airfare is suggested for the user. Therefore, it is obvious that the context is automatically determined that the user has an interest in the island



without the user having to enter any more information and air fares and rental fees are pulled for the user.

Wherein said context comprises at least an interest and a destination. (col 14: lines 16-17)

Tagawa discloses querying a travel information database for interest, and if the interest is matched, returning the travel information. (col 11: lines 1-26)

Tagawa discloses querying a travel information database for destination, and if the destination is match, returning the travel information. (col 4: lines 23-27)

However, Tagawa does not expressly disclose if a match for interest is not matched, then querying for a destination from the travel information database.

However, it would have been obvious at the time the invention was made to follow the travel interest query with travel destination query if an place of interest that matches the user's interest is not found. The motivation for Tagawa to perform such a function because it is well known in the arts that companies would not want to give up a potential customer, Tagawa discloses "if no seats are available on the preferred carrier the system will offer alternatives using other airlines." (col 15: lines 52-54) to show that if a result cannot be found for a customer, then the query is re-run with a different set of restrains to see if a result can be found for the customer to keep the customer using the services provided by the company. Therefore, if a customer cannot find a place of interest to travel to then the travel reservation system would allow the customer to plan his travel according to destination, so the company would be able to keep the user as a paying customer instead of allowing the user to travel with another company.

Tagawa does not expressly disclose that if both interest and destination query returned no matches, then a spell check tool is invoked, and the process of querying the first and second database is repeated;

Notes discloses in his article that search engines crawl through databases querying for relevant search results, and presents them when found. (Abstract) Notes also disclose that search engine AltaVista offers spelling suggestions, and searches with the alternate spelling. (SPELLING AND BAD QUERIES)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the search strategy and spell checking disclosed by Notes of the search engines. One would be motivated to perform such modification to have systematic way of searching a plurality of databases and ensure that the search is accurate and not effected by misspellings.

Regarding claim 54, Tagawa does not expressly disclose that if all query attempts are exhausted, a simple text search is perform.

However, it is obvious that Tagawa's invention has the ability to perform text based search, since Tagaw discloses inputting origin and destination information for reservation of plane tickets(col 4: lines 24-28), and it is well know in the arts that origin and destination is comprised of text.

Regarding claim 55, Tagawa discloses the data input by the user in response to such queries would then be used to narrow down the search process of the choices that match the user's needs. (col 2: lines 65-67)

Regarding claim 56, Tagawa discloses options of local visitor attractions, local lodging, local U-drive cars, local or intrastate tour packages, airline tickets, out-of-state tour packages, cruises and other shopping options. (col 10: lines 61-63)

Regarding claim 66, Tagawa discloses a search mechanism that determines a category for which a user is requesting information, wherein said category comprises:

(Fig 3)

An interest; and(col 11: lines 1-16)

A destination. (col 4: lines 22-28)

### ***Conclusion***

15. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

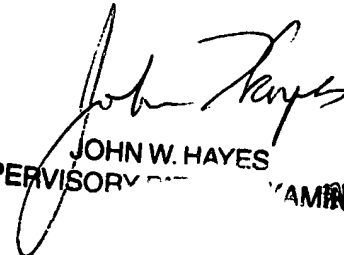
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Wu whose telephone number is (571)272-3136.

The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rw

  
JOHN W. HAYES  
SUPERVISORY EXAMINER